



# CITY OF MANITOWOC

WISCONSIN, USA

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June 13, 2023

TO: Members of the Common Council

FROM: Eric Nycz, Interim City Attorney

Re: WPS Easement

## **Issue Presented**

This Office received a request for an easement from WPS on May 23, 2023. The request was for repairs, maintenance, and reconstruction of a gas line running to the Army Reserve Facility at Silver Creek Park. Typically, this would have been sent to the Public Infrastructure Committee for review and recommendation but, as you are all aware, we are in negotiations with the Army Reserve regarding the access road to its facility. One of the Army's pending proposals was to construct a new, separate road that it would build and maintain privately, pursuant to an easement. The location of this road was to be in the location of the proposed WPS easement. The road could not exist if the gas line was rebuilt in that area.

This Office immediately contacted the Army Reserve to determine how they wanted to proceed; either work with WPS on a new gas line or abandon the private road idea. They chose the latter. But they did not respond in time to send this issue to the Public Infrastructure Committee. Further, both WPS and the Army Reserve would like to begin repairs, maintenance, and reconstruction of the gas line as soon as possible, and that cannot be done until the easement is approved by the Common Council and signed by the Mayor.

Therefore, this Office is asking that the Common Council move to approve the easement requested by WPS and direct City employees to execute the easement as requested by WPS.

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